

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 2453
Naoyuki Sato)	Examiner: Chea, Philip J.
Serial No.: 10/658,057)	
Filed: September 8, 2003)	APPEAL BRIEF
For: METHOD OF AND APPARATUS FOR PROVIDING LOCALIZED INFORMATION FROM AN INTERNET SERVER OR PORTAL TO USER WITHOUT REQUIRING USER TO ENTER LOCATION)	162 North Wolfe Road Sunnyvale, California 94086 (408) 530-9700
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Sir:

In furtherance of the Applicants' Notice of Appeal filed on September 24, 2010, this Appeal Brief is submitted. This Appeal Brief is submitted in support of the Applicants' Notice of Appeal, and further pursuant to the rejection mailed on June 14, 2010, in which Claims 1-7, 9-33 and 35-41 were rejected. The Applicants submit this Appeal Brief to the Board of Patent Appeals and Interferences in compliance with the requirements of 37 C.F.R. § 41.37, as stated in *Rules of Practice Before the Board of Patent Appeals and Interferences (Final Rule)*, 69 Fed. Reg. 49959 (August 12, 2004). The Applicants contend that the rejections of Claims 1-7, 9-33 and 35-41 in this proceeding are in error, were previously overcome and are overcome again by this appeal.

I. REAL PARTIES IN INTEREST

As the assignee of the entire right, title, and interest in the above-captioned patent application, the real parties in interest in this appeal, is:

Sony Corporation, a Japanese corporation
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Tokyo, 141
Japan

Sony Electronics Inc., a corporation of the State of Delaware
1 Sony Drive
Park Ridge, NJ 07656-8003

per the assignment document filed on September 8, 2003.

II. RELATED APPEALS AND INTERFERENCES

The Applicants are not aware of any other appeals or interferences related to the present application.

III. STATUS OF THE CLAIMS

Claims 1-7, 9-33 and 35-41 are involved in the appeal. Claims 8 and 34 have been previously canceled. Claims 1-7, 9-33 and 35-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0173981 to Stewart (hereinafter “Stewart” a copy of which is attached as “Exhibit A”), in view of U.S. Patent Application Publication No. 2004/0002343 to Brauel et al. (hereinafter “Brauel” a copy of which is attached as “Exhibit B”), and further in view of U.S. Patent No. 6,618,005 to Hannah et al. (hereinafter “Hannah” a copy of which is attached as “Exhibit C”).

IV. STATUS OF THE AMENDMENTS FILED AFTER FINAL REJECTION

No amendments to the claims have been filed after the Office Action mailed on June 14, 2010.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention disclosed in the present application number 10/658,057 is directed to methods and apparatuses for providing localized information from an internet server or portal to a user without requiring the user to enter their location information. The method and apparatus preferably maintain a location table of the IP addresses for wireless access points and the location information for the access point. When a user accesses a portal through a wireless access point to obtain localized information, the portal then determines, using the IP address for the wireless access point and the location table, the location information corresponding to that wireless access point. The portal then provides the localized information to the user for their location based on the location information obtained from the location table without requiring the user to know or enter the location information. In an alternative embodiment, the location information is maintained at the wireless access point and automatically provided to the portal from the wireless access point.

The elements of Claim 1, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 9, line 4, page 12, line 6 to page 13, line 22 and accompanying Figure 4. The method comprises determining a network address corresponding to the access point (102, 106, 108,110), obtaining location information (84) corresponding to the network address from a location table (80), wherein the location information (84) is determined at an internet portal (10) based on the location table (80), obtaining the localized information from a localized information database (100) using the location information (84), wherein the localized information corresponding to the location information (84) is defined by the internet portal (10), independent of an identification of the access point (102, 106, 108,110), and providing the localized information to the user through the access point (102, 106, 108,110).

The elements of Claim 9, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 9, line 4, page 12, line 6 to page 13, line 22 and accompanying Figure 4. The method comprises obtaining a network address of one of the access points (102, 106, 108,110) upon receiving an initial communication from one of the access points (102, 106, 108,110), obtaining location information (84) corresponding to a

physical location of one of the access points (102, 106, 108,110), wherein the physical location is determined at an internet portal (10), generating an entry within the location table (80) including the network address and the location information (84) and repeating the above upon an initial communication from each of the access points (102, 106, 108,110).

The elements of Claim 14, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 11, line 15 and accompanying Figures 1, 2, 3 and 6. The apparatus comprises a location table (80) including a plurality of entries each having a network address and location information (84) corresponding to the access point (102, 106, 108,110), a localized information database (100) coupled to the location table (80) to provide localized information based on the location information (84), and a controller coupled to the location table (80) and the localized information database (100) for determining the location information (84) of a specific access point (102, 106, 108,110) based on the location table (80) and for determining the localized information corresponding to the location information (84) of the specific access point (102, 106, 108,110), the localized information determined independent of an identification of the specific access point (102, 106, 108,110).

The elements of Claim 21, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 11, line 15 and accompanying Figures 1, 2, 3 and 6. The apparatus comprises a first means for maintaining a location table (80) including a plurality of entries, each entry having a network address and location information (84) corresponding to a specific access point (102, 106, 108,110), a second means for maintaining a localized information database (100) coupled to the first means for maintaining and for providing localized information based on the location information (84), and a controlling means coupled to the location table (80) and the localized information database (100) for determining the location information (84) of a specific access point (102, 106, 108,110) based on the location table (80) and for determining the localized information corresponding to the location information (84) of the specific access point (102, 106, 108,110), the localized information determined independent of an identification of the specific access point (102, 106, 108,110).

Means for maintaining a location table (80) including a plurality of entries, each entry having a network address and location information (84) corresponding to a specific access point (102, 106, 108,110) is shown in Figures 1 and 6. The internet server/portal (10) includes a network interface (70) coupled to the network connection (12) (Figure 1) to communicate with the wireless access points (14) and (16) (Figure 1) over the internet. The internet server/portal

(10) also includes a location table (80) and a localized information database (100), which are both coupled to each other and to the network interface (70). The location table (80) stores the IP addresses corresponding to wireless access points and the corresponding location information (84). The localized information database (100) includes localized information such as weather, news, traffic information and information regarding nearby points of interest, pertaining to specific locations. [Present Specification, page 10, lines 11-18]

Means for maintaining a localized information database (100) coupled to the first means for maintaining and for providing localized information based on the location information (84) is shown in Figures 1 and 6. The internet server/portal (10) includes a network interface (70) coupled to the network connection (12) (Figure 1) to communicate with the wireless access points (14) and (16) (Figure 1) over the internet. The internet server/portal (10) also includes a location table (80) and a localized information database (100), which are both coupled to each other and to the network interface (70). The location table (80) stores the IP addresses corresponding to wireless access points and the corresponding location information (84). The localized information database (100) includes localized information such as weather, news, traffic information and information regarding nearby points of interest, pertaining to specific locations. [Present Specification, page 10, lines 11-18]

Controlling means coupled to the location table (80) and the localized information database (100) for determining the location information (84) of a specific access point based on the location table (80) and for determining the localized information corresponding to the location information (84) of the specific access point is shown in Figures 1 and 6. The internet server/portal (10) includes a network interface (70) coupled to the network connection (12) (Figure 1) to communicate with the wireless access points (14) and (16) (Figure 1) over the internet. The internet server/portal (10) also includes a location table (80) and a localized information database (100), which are both coupled to each other and to the network interface (70). The location table (80) stores the IP addresses corresponding to wireless access points and the corresponding location information (84). The localized information database (100) includes localized information such as weather, news, traffic information and information regarding nearby points of interest, pertaining to specific locations. [Present Specification, page 10, lines 11-18]

The elements of Claim 28, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 11, line 15 and accompanying Figures 1, 2, 3 and 6. The internet site comprises a location table (80) maintained by the internet site

comprising a plurality of entries, each entry including a network address corresponding to the access point (102, 106, 108,110), and location information (84) corresponding to the access point (102, 106, 108,110), and a controller associated with the internet site for determining location information (84) based on the location table (80), wherein localized information corresponding to location information (84) of a specific access point (102, 106, 108,110) accessing the internet site is defined by the internet server according to the location information (84), independent of an identification of the specific access point (102, 106, 108,110).

The elements of Claim 33, directed to one embodiment of the present invention, are described in the Specification at page 8, line 5 to page 9, line 13, page 11, line 16 to page 12, line 5 and accompanying Figures 1 and 4. The network comprises one or more access points (102, 106, 108,110) to provide access to an internet site, one or more internet access systems, each capable of communicating with the one or more access points (102, 106, 108,110) to access the internet site through one of the access points (102, 106, 108,110), an apparatus to provide the internet site and capable of being accessed through the one or more access points (102, 106, 108,110) comprising a location table (80) including a plurality of entries each having a network address and physical location information (84) corresponding to an appropriate one of the access points (102, 106, 108,110), and a localized information database (100) coupled to the location table (80) to provide localized information based on the physical location information (84), wherein localized information corresponding to a physical location of a specific access point (102, 106, 108, 110) accessing the internet site is defined by the apparatus according to the physical location, independent of an identification of the specific access point (102, 106, 108,110), wherein the physical location information (84) is determined at the apparatus based on the location table (80).

VI. GROUND OF REJECTION AND OTHER MATTERS TO BE REVIEWED ON APPEAL

The following issues are presented in this Appeal Brief for review by the Board of Patent Appeals and Interferences:

1. Whether Claims 1-7, 9-33 and 35-41 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Stewart, in view of Brauel, and further in view of Hannah.

VII. ARGUMENT

Grounds for Rejection

Within the Office Action, Claims 1-7, 9-33 and 35-41 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Stewart in view of Brauel, and further in view of Hannah.

Outline of Arguments

In the discussion that follows, the Applicants discuss the teachings of Stewart, the teachings of Brauel, the teachings of Hannah and the teachings of the combination of Stewart, Brauel and Hannah. As described in detail below, combination of Stewart, Brauel and Hannah does not teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. Further, the combination of Stewart, Brauel and Hannah does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Moreover, even if the combination of Stewart, Brauel and Hannah did teach the presently claimed invention, the combination is improper because Stewart teaches away from their combination or the combination would change Stewart's principal mode of operation.

1. Stewart does not teach defining localized information by the internet server/portal the localized information being determined according to the physical location information and independent of an identification of the access point. Stewart also does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points.

Stewart teaches a system and method for enabling a business to register a domain location to provide location based services to on-site customers. Specifically, Stewart teaches a domain place registry 150 where physical domain name information is stored and a domain place registration web site 190 which a business 160 accesses to register a domain location and to specify desirable known geographic location ("KGL") services to be available at the location. The known geographic location (KGL) services or localized information is obtained by the system through the specification of the localized information by businesses on the domain place registry. Specifically, Stewart teaches a Domain Place Registration (DPR) server 150 that stores

a data structure including information regarding domain place registration information of the specific business doing the registration, identification information of the business, and KGL services information specified by the business. [Stewart, ¶¶ 0037, 0047, 0048, 0054] As a result, Stewart teaches that a business can register a domain and specify localized information so as to provide location based services to on-site customers, not that the localized information is defined by the system. Indeed, it is acknowledged within the Office Action of June 14, 2010 on page 4 that Stewart does not teach that the localized information corresponding to a physical location of a specific access point accessing the internet site is defined by the apparatus according to the physical location, independent of an identification of the specific access point. Hannah is cited for this purpose.

Stewart also does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Stewart teaches that access points “may store [their] KGL information and may transmit the [access point’s] KGL to the system.” [Stewart, ¶ 0065] Stewart does not teach that access points transmit network address and location information upon the initial communication from each access point. Specifically, Stewart teaches that the access points may be used to store their KGL information and then to transmit that information any time they communicate with the registry. [Stewart, ¶ 0065] Stewart does not teach creating a new entry in a location table containing the access point’s network address and location only upon the initial communication and thereby not needing the access point to transmit the information again on subsequent communications. Accordingly, Stewart does not teach the presently claimed invention.

2. Brauel does not teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. Brauel also does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points.

Brauel teaches a communications network including a communication server 102 coupled to a plurality of access points 106. Brauel teaches that the plurality of access points 106 are capable of wireless communications with one or more mobile wireless communication devices 120. [Brauel, ¶ 0021] Brauel teaches that the wireless communication devices 120 determine

their own location based on information provided by the communication server 102. [Brauel, ¶ 0025] However, Brauel does not teach that the location information is determined at an internet portal based on the location table, or that a controller within an apparatus providing an internet site determines the location information based on the location table. Nor does Brauel teach providing localized information obtained from a localized information database. Indeed, as is acknowledged within the Office Action of June 14, 2010 on page 4, Brauel does not teach that the localized information corresponding to a physical location of a specific access point accessing the internet site is defined by the apparatus according to the physical location, independent of an identification of the specific access point. Again, Hammah is cited for this purpose.

Furthermore, Brauel does not teach generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Within the Response to Arguments section, it is stated that “Examiner believes that it would be obvious to generate the locations of the access points upon initial communication of the access points much like a DHCP server would allocate an IP address automatically upon initial communication of a network device.” [Office Action of June 14, 2010, page 6] As described previously, Brauel teaches that “via a workstation (not shown) a network administrator can enter physical location information for each of the access points. The network administrator would know the physical location of the access points and can readily find out the address of each access point.” [Brauel, ¶ 0025] Accordingly, Applicant respectfully disagrees that Brauel makes it obvious that each entry is made upon an initial communication from the access point. Indeed, Brauel teaches away from what the Office Action is stating is obvious. Specifically, if Brauel teaches that a network administrator enters physical location information for each of the access points and can find out the address of each access point, that is in direct conflict with the assumption that the locations of the access points are automatically generated upon initial communication of the access points. Thus, Brauel does not teach nor make obvious generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Accordingly, Brauel does not teach the presently claimed invention.

3. Hannah does not teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. Hannah also does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points.

Hannah teaches that wireless network devices can obtain their geographical locations by triangulation with access points that have precise time information. [Hannah, Abstract] In response to a location prompt, a wireless device can send a transmission to multiple access points that are within its range. Specifically, Hannah teaches that the calculation of the location of the mobile device may be performed in various places. In one embodiment, the server receives the ping-reception time from each access point and calculates the location of the mobile device based on the location of each of the access points and the time each ping was received by each access point. Hannah teaches that the data indicating the location of each access point can be transmitted, along with the ping reception time, from the access point to the server after the ping signal is received, or that the location of each access point is contained in a database that is accessible to the server. [Hannah, col. 3, lines 38-50]

However, Hannah does not teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. Further, Hannah does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Instead, Hannah teaches that data indicating the location of each access point can be transmitted, along with the ping reception time, from that access point to the server after the ping signal is received. Alternatively, since wireless access points are generally fixed in place, their location may be determined in advance and contained in a database that is accessible to the server. [Hannah, col. 2, lines 33-41] Although the predetermined locations can be contained in a database, nowhere in the specification of Hannah does Hannah teach generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Thus, Hannah does not teach generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points.

Within the Response to Arguments Section of the Office Action, it is asserted that Hannah teaches that the location information can be stored from the access point onto a server and this can be used to offer localized information independent of the identification of the access point. [Office Action of June 14, 2010, page 7] However, Hannah teaches “[c]ommon triangulation techniques may then be used to determine the location of the mobile device with respect to those access points.” [Hannah, col. 2, lines 31-33] Then, Hannah explains that each access point stores its own location and provides that location information to other devices such as a server. [Hannah, col. 2, lines 35-39] Therefore, it is clear that Hannah still does not teach localized information corresponding to the location information is defined by the internet portal, independent of an identification of the access point. Accordingly, Hannah does not teach the presently claimed invention.

4. The combination of Stewart, Brauel and Hannah does not teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. Further, the combination of Stewart, Brauel and Hannah does not teach a method of generating a location table corresponding to the network address and location of access points upon an initial communication from each of the access points. Moreover, even if the combination of Stewart, Brauel and Hannah did teach the presently claimed invention, the combination is improper because Stewart teaches away from their combination or the combination would change Stewart's principal mode of operation.

Each of the Applicant's independent claims teaches either that 1) the localized information corresponding to the location information is defined by the internet portal, independent of an identification of the access point or 2) generating an entry in the location table upon receiving an initial communication from an access point. As a result, as described above, because neither Stewart, Brauel, Hannah nor their combination teach defining the localized information by the internet server/portal, the localized information is determined according to the physical location information and independent of an identification of the access point, or generating an entry in a location table upon receiving an initial communication from an access point, neither can their combination. Accordingly, neither Stewart, Brauel, Hannah nor their combination teach the claims of the presently claimed invention.

As discussed above, Hannah does not disclose localized information corresponding to location information defined by the internet portal, independent of an identification of the access point. However, within the Response to Arguments section, it is asserted that the localized information is taught by Stewart, and that Hannah teaches that the location information can be stored from the access point onto a server. It is then concluded that “[t]his can be used to offer localized information independent of the identification of the access point because the information about the access point has already been stored previously.” [Office Action of June 14, 2010, page 7] The Applicant respectfully disagrees. Functionality has inappropriately been attributed to the system of Stewart that is not taught by Stewart, and only by relying on this incorrectly attributed functionality is the asserted system of Stewart in view of Brauel in further view of Hannah able to be asserted as teaching the presently claimed invention. Specifically, hindsight is being relied on in view of the present claims, to modify Stewart such that it allegedly teaches to offer localized information independent of the identification of the access point, which it does not.

In particular, within the Office Action of June 14, 2010, Brauel is cited for teaching a location table that includes entries each having a network address and physical location information. However, it is Stewart that is relied upon for teaching obtaining location information corresponding to the network address from a location table, wherein the location information is determined at an internet portal based on the location table, obtaining the localized information from a localized information database using the location information, and providing the localized information to the user through the access point. [Office Action of June 14, 2010, pages 2-4] As such, it is the functionality of Stewart that is to be modified with the teachings of Hannah so as to provide localized information based on the physical location of a specific access point accessing an internet site, independent of an identification of the specific access point. However, the teachings of Hannah are directed to similar functionality as is already disclosed in Stewart. Specifically, Stewart teaches in paragraph 0084:

KGL information of the business or customer may be determined by the system, such as by transmission of the KGL by the AP 120, transmission of GPS information by the customer's PCD 110, or by transmission of an identifying ID, such as a MAC ID, of the AP 120, which the system may use to look up the KGL information from a database. (Emphasis added)

In other words, Stewart explicitly teaches that it is either the MAC ID of the AP 120 or the GPS information transmitted by the PCD 110, but not both. Contrarily, the presently claimed limitations advantageously disclose the use of both a network address and location information through the use of a location table. Using a location table to link both pieces of information eliminates the need for additional equipment (such as the GPS equipment) and/or processing (such as the triangulation method of Hannah) to determine the physical location information, which is subsequently used to determine the localized information.

Accordingly, the adding of the triangulating method of Hannah to the asserted system of Stewart in view of Brauel does not add functionality to the GPS information already disclosed in Stewart, and Stewart already discloses that the GPS information is used as an alternative for the MAC ID. The teachings of Hannah do not change this. As such, whether it is the asserted system of Stewart in view of Brauel or the asserted system of Stewart in view of Brauel in further view of Hannah, the asserted system fails to teach an inclusive three step sequence of 1) determining a network address, 2) using a location table to obtain location information according to the network address, and 3) obtaining localized information using the location information. The present claims are directed to using both the network address of the access point and the location information of the access point, obtained using the location table, to obtain localized information. The system of Stewart, whether combined with Brauel or with Brauel and Hannah, specifically teaches one or the other, but not both the network address and the location information of the access point. It is only through hindsight of the presently claimed invention that the functionality is added of using both the network address and the physical location of the access point to obtain localized information for a user. Where the Stewart teaching of using the MAC ID is used, the asserted combination fails to teach “localized information corresponding to the location information is defined by the internet portal, independent of an identification of the access point.” Where the Stewart teaching of using the GPS information is used, the asserted combination fails to teach “obtaining location information corresponding to the network address.” Thus, the combination of Stewart, Brauel and Hannah does not teach the presently claimed invention.

Finally, within the Response to Arguments section of the Office Action, it has been stated that Brauel teaches a location table and physical location attributes of an access point and that combining Brauel with Stewart is not improper hindsight reasoning. [Office Action of June 14, 2010, pages 5-6] Applicants respectfully disagree. The MPEP states, “[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from

the claimed invention.” W.L. Gore & Associates, Inc. v. Garlock, Inc. 721 F.2d 1540 (Fed. Cir. 1983); MPEP § 2141.02 (VI). In light of this requirement of the MPEP, it is clearly improper to combine Brauel with Stewart when, as described above, Stewart teaches away from the claimed invention. Again, Stewart specifically teaches transmitting either GPS information or MAC address information, but not both. Thus, Stewart teaches away from a combination that requires the use of both. However, even if Stewart did not teach away from using both GPS information and MAC address information, the combination would still be improper because it would necessarily change Stewart’s principal mode of operation. The MPEP states that “[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. In re Ratti, 270 F.2d 810, 123 (CCPA 1959); MPEP §2143.01. In this case, as described above, Stewart’s principal mode of operation only involves either GPS information or MAC address information, but not both. As a result, it is evident combining Stewart with Brauel and Hannah such that Stewart uses both would change Stewart’s principal operation. Thus, in any circumstance the combination of Stewart, Brauel and Hannah will be improper. Accordingly, the combination of Stewart, Brauel and Hannah cannot teach the presently claimed invention.

5. The claims distinguish over Stewart, Brauel, Hannah and their combination.

The claims are grouped separately below to indicate that they do not stand or fall together.

a. Claims 1-7

The independent Claim 1 is directed to a method of providing localized information to a user accessing an internet site through an access point. The method of Claim 1 comprises determining a network address corresponding to the access point, obtaining location information corresponding to the network address from a location table, wherein the location information is determined at an internet portal based on the location table, obtaining the localized information from a localized information database using the location information, wherein the localized information corresponding to the location information is defined by the internet portal, independent of an identification of the access point, and providing the localized information to

the user through the access point. As described above, neither Stewart, Brauel, Hannah nor their combination teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. For at least these reasons, the independent Claim 1 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 2-7 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 2-7 are all also allowable as being dependent on an allowable base claim.

b. Claims 9-13

The independent Claim 9 is directed to a method of generating a location table corresponding to locations of access points. The method of Claim 9 comprises obtaining a network address of one of the access points upon receiving an initial communication from one of the access points, obtaining location information corresponding to a physical location of one of the access points, wherein the physical location is determined at an internet portal, generating an entry within the location table including the network address and the location information and repeating the above upon an initial communication from each of the access points. As described above, neither Stewart, Brauel, Hannah nor their combination teach a method of generating an entry in a location table upon receiving an initial communication from an access point. For at least these reasons, the independent Claim 9 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 10-13 are dependent on the independent Claim 9. As described above, the independent Claim 9 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 10-13 are all also allowable as being dependent on an allowable base claim.

c. Claims 14-20

The independent Claim 14 is directed to an apparatus to provide an internet site and capable of being accessed through an access point. The apparatus of Claim 14 comprises a location table including a plurality of entries each having a network address and location

information corresponding to the access point, a localized information database coupled to the location table to provide localized information based on the location information, and a controller coupled to the location table and the localized information database for determining the location information of a specific access point based on the location table and for determining the localized information corresponding to the location information of the specific access point, the localized information determined independent of an identification of the specific access point. As described above, neither Stewart, Brauel, Hannah nor their combination teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. For at least these reasons, the independent Claim 14 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 15-20 are all dependent on the independent Claim 14. As described above, the independent Claim 14 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 15-20 are all also allowable as being dependent on an allowable base claim.

d. Claims 21-27

The independent Claim 21 is directed to an apparatus for providing an internet site and capable of being accessed through an access point. The apparatus of Claim 21 comprises a first means for maintaining a location table including a plurality of entries, each entry having a network address and location information corresponding to a specific access point, a second means for maintaining a localized information database coupled to the first means for maintaining and for providing localized information based on the location information, and a controlling means coupled to the location table and the localized information database for determining the location information of a specific access point based on the location table and for determining the localized information corresponding to the location information of the specific access point, the localized information determined independent of an identification of the specific access point. As described above, neither Stewart, Brauel, Hannah nor their combination teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. For at least these reasons, the independent Claim 21 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 22-27 are all dependent on the independent Claim 21. As described above, the independent Claim 21 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 22-27 are all also allowable as being dependent on an allowable base claim.

e. Claims 28-32

The independent Claim 28 is directed to an internet server for providing localized information from a localized information database to users through an access point. The internet site of Claim 28 comprises a location table maintained by the internet site comprising a plurality of entries, each entry including a network address corresponding to the access point, and location information corresponding to the access point, and a controller associated with the internet site for determining location information based on the location table, wherein localized information corresponding to location information of a specific access point accessing the internet site is defined by the internet server according to the location information, independent of an identification of the specific access point. As described above, neither Stewart, Brauel, Hannah nor their combination teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. For at least these reasons, the independent Claim 28 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 29-32 are dependent on the independent Claim 28. As described above, the independent Claim 28 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 29-32 are all also allowable as being dependent on an allowable base claim.

f. Claims 33 and 35-41

The independent Claim 33 is directed to a network of devices. The network of Claim 33 comprises one or more access points to provide access to an internet site, one or more internet access systems, each capable of communicating with the one or more access points to access the internet site through one of the access points, an apparatus to provide the internet site and capable of being accessed through the one or more access points comprising a location table including a plurality of entries each having a network address and physical location information

corresponding to an appropriate one of the access points, and a localized information database coupled to the location table to provide localized information based on the physical location information, wherein localized information corresponding to a physical location of a specific access point accessing the internet site is defined by the apparatus according to the physical location, independent of an identification of the specific access point, wherein the physical location information is determined at the apparatus based on the location table. As described above, neither Stewart, Brauel, Hannah nor their combination teach defining localized information by the internet server/portal, the localized information being determined according to the physical location information and independent of an identification of the access point. For at least these reasons, the independent Claim 33 is allowable over the teachings of Stewart, Brauel, Hannah and their combination.

Claims 35-41 are all dependent on the independent Claim 33. As described above, the independent Claim 33 is allowable over the teachings of Stewart, Brauel, Hannah and their combination. Accordingly, Claims 35-41 are all also allowable as being dependent on an allowable base claim.

6. CONCLUSION

For the above reasons, it is respectfully submitted that the Claims 1-7, 9-33 and 35-41 are allowable over the cited prior art references. Therefore, a favorable indication is respectfully requested.

Respectfully submitted,
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VIII. CLAIMS APPENDIX

This appendix includes a list of the claims under appeal.

1. A method of providing localized information to a user accessing an internet site through an access point, comprising:
 - a. determining a network address corresponding to the access point;
 - b. obtaining location information corresponding to the network address from a location table, wherein the location information is determined at an internet portal based on the location table;
 - c. obtaining the localized information from a localized information database using the location information, wherein the localized information corresponding to the location information is defined by the internet portal, independent of an identification of the access point; and
 - d. providing the localized information to the user through the access point.
2. The method as claimed in claim 1 wherein the network address is an internet protocol address.
3. The method as claimed in claim 1 further comprising generating an entry in the location table including the network address and the corresponding location information.
4. The method as claimed in claim 3 further comprising obtaining the corresponding location information from the access point.
5. The method as claimed in claim 1 wherein the localized information includes one or more of weather, news, traffic information and information regarding nearby points of interest.
6. The method as claimed in claim 1 wherein the internet site is provided by an internet server.
7. The method as claimed in claim 1 wherein the internet site is provided by the internet portal.

8. (canceled)
9. A method of generating a location table corresponding to locations of access points, comprising:
 - a. obtaining a network address of one of the access points from a communication received from one of the access points;
 - b. obtaining location information corresponding to a physical location of one of the access points, wherein the physical location is determined at an internet portal;
 - c. generating an entry within the location table including the network address and the location information; and
 - d. repeating a-c upon an initial communication from each of the access points.
10. The method as claimed in claim 9 wherein the network address is an internet protocol address.
11. The method as claimed in claim 9 wherein the communication is received at an internet site.
12. The method as claimed in claim 11 wherein the internet site is provided by an internet server.
13. The method as claimed in claim 11 wherein the internet site is provided by the internet portal.
14. An apparatus to provide an internet site and capable of being accessed through an access point comprising:
 - a. a location table including a plurality of entries each having a network address and location information corresponding to the access point;
 - b. a localized information database coupled to the location table to provide localized information based on the location information; and
 - c. a controller coupled to the location table and the localized information database for determining the location information of a specific access point based on the location table and for determining the localized information corresponding to the

location information of the specific access point, the localized information
determined independent of an identification of the specific access point.

15. The apparatus as claimed in claim 14 wherein the network address is an internet protocol address.
16. The apparatus as claimed in claim 14 wherein the controller generates an entry in the location table including the address and the corresponding location information.
17. The apparatus as claimed in claim 16 wherein the controller obtains the location information from the access point.
18. The apparatus as claimed in claim 14 wherein the localized information includes one or more of weather, news, traffic information and information regarding nearby points of interest.
19. The apparatus as claimed in claim 14 wherein the apparatus is within an internet server.
20. The apparatus as claimed in claim 14 wherein the apparatus is within the internet portal.
21. An apparatus for providing an internet site and capable of being accessed through an access point comprising:
 - a. a first means for maintaining a location table including a plurality of entries, each entry having a network address and location information corresponding to a specific the access point;
 - b. a second means for maintaining a localized information database coupled to the first means for maintaining and for providing localized information based on the location information; and
 - c. a controlling means coupled to the location table and the localized information database for determining the location information of a specific access point based on the location table and for determining the localized information corresponding to the location information of the specific access point, the localized information determined independent of an identification of the specific access point.

22. The apparatus as claimed in claim 21 wherein the network address is an internet protocol address.
23. The apparatus as claimed in claim 21 wherein the controlling means generates an entry in the first means for maintaining including the network address and the corresponding location information.
24. The apparatus as claimed in claim 23 wherein the means for controlling obtains the location information from the access point.
25. The apparatus as claimed in claim 21 wherein the localized information includes one or more of weather, news, traffic information and information regarding nearby points of interest.
26. The apparatus as claimed in claim 21 wherein the apparatus is within an internet server.
27. The apparatus as claimed in claim 21 wherein the apparatus is within the internet portal.
28. An internet server for providing localized information from a localized information database to users through an access point comprising:
 - a. a location table maintained by the internet site comprising a plurality of entries, each entry including:
 - i. a network address corresponding to the access point; and
 - ii. location information corresponding to the access point; and
 - b. a controller associated with the internet site for determining location information based on the location table, wherein localized information corresponding to location information of a specific access point accessing the internet site is defined by the internet server according to the location information, independent of an identification of the specific access point.
29. The location table as claimed in claim 28 wherein the network address is an internet protocol address.

30. The location table as claimed in claim 28 wherein the internet site is provided by an internet server.
31. The location table as claimed in claim 28 wherein the internet site is provided by the internet portal.
32. The location table as claimed in claim 28 wherein the location information is a physical location of the access point.
33. A network of devices comprising:
 - a. one or more access points to provide access to an internet site;
 - b. one or more internet access systems, each capable of communicating with the one or more access points to access the internet site through one of the access points;
 - c. an apparatus to provide the internet site and capable of being accessed through the one or more access points comprising:
 - i. a location table including a plurality of entries each having a network address and physical location information corresponding to an appropriate one of the access points; and
 - ii. a localized information database coupled to the location table to provide localized information based on the physical location information, wherein localized information corresponding to a physical location of a specific access point accessing the internet site is defined by the apparatus according to the physical location, independent of an identification of the specific access point,wherein the physical location information is determined at the apparatus based on the location table.
34. (canceled).
35. The network of devices as claimed in claim 33 wherein the one or more internet access systems are one or more of a portable computer, a cellular telephone and a personal digital assistant device.

36. The network of devices as claimed in claim 33 wherein the network address is an internet protocol address.
37. The network of devices as claimed in claim 33 wherein the apparatus to provide the internet site further comprises a controller coupled to the location table and the localized information database for generating an entry for a specific access point in the location table including the network address and the corresponding location information upon receiving an initial communication from the specific access point.
38. The network of devices as claimed in claim 37 wherein the controller obtains the location information from one of the access points.
39. The network of devices as claimed in claim 33 wherein the localized information includes one or more of weather, news, traffic information and information regarding nearby points of interest.
40. The network of devices as claimed in claim 33 wherein the apparatus to provide the internet site is within an internet server.
41. The network of devices as claimed in claim 33 wherein the apparatus to provide the internet site is within the internet portal.

IX. EVIDENCE APPENDIX

STATEMENT

Pursuant to 37 C.F.R. § 41.37(c)(1)(ix), the following is a statement setting forth where in the record the evidence of this appendix was entered by the examiner:

Evidence Description:	Where Entered:
U.S. Pat. App. Pub. No. 2002/0173981	Office Action mailed April 4, 2008
U.S. Pat. Publ. No. 2004/0002343	Office Action mailed March 23, 2007
U.S. Patent No. 6,618,005	Office Action mailed May 19, 2009
Office Action June 14, 2010	Examiner Office Action

X. RELATED PROCEEDINGS APPENDIX

There are no related proceedings.